



03 JAN 2006

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In re Application of :
GRAHAM et al. :
Application No.: 10/522,539 : DECISION
PCT No.: PCT/GB03/03266 :
Int. Filing Date: 24 July 2003 :
Priority Date: 27 July 2002 :
Attorney Docket No.: K-0128 :
For: PLANT WATERING SYSTEM :

This decision is in response to applicants submission filed in the United States Patent and Trademark Office (USPTO) on 21 November 2005.

BACKGROUND

On 24 July 2003, applicants filed international application PCT/GB03/03266 which claimed a priority date of 27 July 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 05 February 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 27 January 2005.

On 27 January 2005, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and a declaration of inventors.

On 19 August 2005, a Notification was mailed indicating that the first-named inventor was listed as both Graham Graham and Neil Bunette Graham, that a new declaration of inventors specifying only one name for Mr. Graham--his correct name--was required, and that if Mr. Graham's correct name is Neil Bunette Graham, a proper petition under 37 CFR 1.182 would be required. It was also noted that such a petition would need to be accompanied by the requisite petition fee of \$400 as well as a statement from the inventor setting forth that he is a joint inventor of the subject matter of the present application and setting forth the circumstances surrounding the difference in names on the international application and the declaration.

On 21 November 2005, applicants submitted the instant "PETITION UNDER 37 CFR § 1.182", which was accompanied by the petition fee, a declaration of inventors, and a statement of Neil Bonnette Graham.

DISCUSSION

The petition fee has been paid. The statement of Neal Bonnette Graham is accepted. The declaration of inventors filed 21 November 2005 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, the petition under 37 CFR 1.182 is **GRANTED**.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application, including the accordation of a 35 U.S.C. §§371(c)(1), (c)(2), and (c)(4) date of **21 November 2005**.



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